REMARKS

By this amendment, claims 1-36 are pending, in which no claims are canceled, withdrawn from consideration, or newly presented, and claims 9 and 25 are currently amended. No new matter is introduced.

The Office Action mailed November 14, 2008 rejected claims 9 and 25 as being non-statutory under 35 U.S.C. § 101, claims 1-7, 10-16, 18, 20-24, and 27-36 as obvious under 35 U.S.C. § 103 based on *Dutta et al.* (US 7,000,189) in view of *Sharma* (US 2003/0125953), and claims 8, 17, 24, and 31 as obvious under 35 U.S.C. § 103 based on *Dutta et al.* (US 7,000,189) and *Sharma* (US 2003/0125953) in view of *Chatterjee et al.* (US 6,947,440)[1].

Claims 9 and 25 have now been amended to recite a "computer readable **storage medium**," making it clear that the computer readable medium is directed to a **physical** storage medium and cannot read on electromagnetic waves, *per se.*

Accordingly, the Examiner is respectfully requested to withdraw the rejection of claims 9 and 25 under 35 U.S.C. § 101.

The rejection of claims 1-7, 9-16, and 18-36 under 35 U.S.C. § 103 is respectfully traversed.

The Examiner acknowledges that *Dutta et al.* fails to disclose the claimed features of "modifying the request to include information specifying support of **a parse and pre-fetch service** as to permit handling of the modified request by the web server in absence of an upstream proxy that is communicating with the web server" and "forwarding the modified request towards the web server, wherein the upstream proxy, if present, intercepts the modified

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[1] While the statements of rejection do not include claims 9, 19, 25, and 26 in the rejections based on prior art, based on the Examiner's comments within the Office Action, it is presumed that these claims were meant to be included in the rejection under 35 U.S.C. § 103 based on *Dutta et al.* and *Sharma*.   Moreover, it is noted that claims 24 and 31

11

request and **pre-fetches the content** from the web server." The Examiner relies on *Sharma* to

provide for the deficiencies of *Dutta et al.*, specifically relying on paragraphs [0031] and [0049].

Claim 1, for example, recites "**modifying the request** [for content] to include

information specifying support of a parse and pre-fetch service as to permit handling of the

modified request by the web server in absence of an upstream proxy that is communicating with

the web server." The Examiner points to col. 5, line 65 through col. 6, line 1, of *Dutta et al.*

for such a disclosure. However, the claim recites that the **request** for content is modified.

Dutta et al., on the other hand, modifies "the **content** of the response" (col. 5, lines 66-67)

responsive to a detection that the request is from a talking browser. It is crucial to note that the

portion of *Dutta et al.* relied on by the Examiner discloses only that the content of the response,

and not the request for content, is modified. Since *Dutta et al.* does not disclose modifying the

request for content, even if the general teaching by *Sharma* of parsing and pre-fetch techniques

is applied to the system of *Dutta et al.*, the combination still does not result in the claimed

feature of "**modifying the request** [for content] **to include information specifying support of**

a parse and pre-fetch service as to permit handling of the modified request by the web server

in absence of an upstream proxy that is communicating with the web server." At best, the

combination would result in the modification of the **content of the response** to the request to

include information specifying support of a parse and pre-fetch service. It would appear

meaningless to modify the content of the response to include such information but, in any event,

the instant claimed subject matter would not result.

Since neither *Dutta et al.* nor *Sharma*, or the combination thereof, discloses or suggests

"**modifying the request** [for content] **to include information specifying support of a parse**

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were included in both the rejection based on *Dutta et al.* and *Sharma* and the rejection based on *Dutta et al.*,

and pre-fetch service," it follows that neither reference nor the combination of references can suggest "**forwarding the modified request** towards the web server, wherein the upstream proxy, if present, intercepts the modified request and pre-fetches the content from the web server." It is true that *Dutta et al*. discloses, at col. 9, lines 21-22, that a proxy server forwards the request to web browsers, but what is forwarded is the original request for content and not a **modified** request that includes information specifying support of a parse and pre-fetch service. Merely because *Sharma* discloses the known techniques of parsing and pre-fetching is no reason, within the meaning of 35 U.S.C. § 103, to have modified the content request of *Dutta et al*. to include information within that request specifying support of a parse and pre-fetch service.

In *Sharma*, the retrieved content is parsed (paragraph [0031]) and requested content is pre-fetched (paragraph [0049]), but there is no evidence that the parsing and pre-fetching are performed as a result of modifying the original request for content to include information specifying support of a parse and pre-fetch service. Rather than resulting from a modified request, as claimed, the pre-fetching in *Sharma* is performed by converting the content of a retrieved page into a document file having a format consistent with that of the voice browser. Thus, the pre-fetching is performed as a result of determining the type of browser (e.g., voice browser) and then converting the content into a consistent format. There is no suggestion in *Sharma* that the pre-fetching is performed as a result of **modifying the request for content to include information specifying support of a parse and pre-fetch service**. Accordingly, there would have been nothing to lead the artisan to modify the request for content in *Dutta et al*. to include information specifying support of a parse and pre-fetch service.

Sharma, and *Chatterjee et al.*

Accordingly, no *prima facie* case of obviousness has been established with regard to independent claim 1 and the Examiner is respectfully requested to withdraw the rejection of claim 1, and of claims 2-9 dependent thereon, under 35 U.S.C. § 103.

Independent claims 10, 32, and 36 contain features similar to those of claim 1. Thus, for the reasons above, the Examiner is respectfully requested to withdraw the rejection of independent claims 10, 32, and 36, and of claims 11-18 and 33-35 dependent thereon, under 35 U.S.C. § 103.

Independent claims 19 and 26 each recite "wherein the request includes information identifying the downstream proxy" and "pre-fetching the content from the web server based on the request" (claim 19) or "pre-fetch the content from the web server based on the request" (claim 26).

For reasons above, neither *Dutta et al.* nor *Sharma* discloses **pre-fetching** the content **"based on the request."** Moreover, as recited in claims 19 and 26, the request includes information "identifying the downstream proxy." The Examiner's rationale does not even address this feature of "identifying the downstream proxy." Accordingly, no *prima facie* case of obviousness has been established with regard to the subject matter of independent claims 19 and 26. Therefore, the Examiner is respectfully requested to withdraw the rejection of independent claims 19 and 26, along with claims 20-25 and 27-31 dependent thereon, under 35 U.S.C. § 103.

Chatterjee et al., applied against dependent claims 8, 17, 24, and 31 for an alleged teaching of a communication network including a Very Small Aperture Terminal (VSAT) satellite network and an upstream proxy residing in a VSAT in communication with a web server, does not provide for the deficiencies of the primary references. Accordingly, no *prima*

facie case of obviousness has been established with regard to the subject matter of claims 8, 17, 24, and 31. Therefore, the Examiner is respectfully requested to withdraw the rejection of these claims under 35 U.S.C. § 103.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 519-9952 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

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